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5 Attorney for Plaintiff,
SHARON LEMKE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 || SHARON LEMKE.

12 Plaintiff,

13 || v.

14 | COMMISSIONER OF SOCIAL SECURITY,

15 || Defendant.

Case No. 2:23-cv-00698-JDP

**STIPULATION AND ~~PROPOSED~~ ORDER
FOR MODIFICATION OF SCHEDULING
ORDER [ECF No. 4]**

16 Subject to the approval and any further orders of the Court, the parties, by and through
17 counsel of record, stipulate and agree that the scheduling order for Social Security cases in this
18 action [ECF No. 4] should be modified. Plaintiff's time to move for summary judgment should be
19 extended from 9/4/2023 [sic] to 9/26/2023, all other deadlines to be determined by reference to
20 the Court's scheduling order, and that good cause supports the extension of time.

21 This is Plaintiff's second request for modification of the scheduling order. Good cause
22 supporting the extension of the filing deadline includes the administrative record is unusually
23 large, exceeding 2200 pages, such that counsel has been unable to complete Plaintiff's motion for
24 summary judgment to the professional standards of the Court, as of the date of this stipulation,
25 despite diligence and requires the further extension to do so considering intervening deadlines
26 associated with an upcoming one month civil trial currently scheduled to commence November
27 14, 2023.

28 This request is made jointly in good faith, without dilatory motive, and not for purposes of

1 undue delay or to prejudice the interest of any party.

2 SO STIPULATED AND AGREED, September 5, 2023

3 WEEMS LAW OFFICES

PHILLIP A. TALBERT,
United States Attorney
MATHEW W. PILE,
Assoc. Gen. Counsel, Soc. Sec. Admin.
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7
8 */s/Robert C. Weems*
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9 Attorney for Plaintiff

By: */s/Franco L. Becia*
FRANCO L. BECIA
Sp. Asst. U.S. Attorney,
Attorney for Defendant
(per email authorization)

11
12 [PROPOSED] ORDER

13 IT IS SO ORDERED.

14
15 Dated: September 6, 2023

16
17 
18 JEREMY D. PETERSON
19 UNITED STATES MAGISTRATE JUDGE